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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,617	03/30/2004	Frederick Murray Burg	2003-152	3196
26652	7590	08/10/2005		
AT&T CORP. P.O. BOX 4110 MIDDLETON, NJ 07748			EXAMINER BUI, BING Q	
			ART UNIT 2642	PAPER NUMBER

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/812,617	BURG, FREDERICK MURRAY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bing Q. Bui	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 March 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/19/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

1. Claims 1-23 are pending in the application for examination, wherein claims 1, 12-13 and 15-23 being independent.

***Claim Rejections - 35 USC § 102***

- 2 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Lieuwen (US Pat No. 6,069,946), cited by Applicant.

Regarding claim 1, referring to figures 5 and 6, and col. 3, Ins 11-48, and col. 4, Ins 14-24, and col. 8, In 52-col. 10, In 3, Lieuwen teaches a method for allowing a calling party to control a call to a called party that comprises a combination of the following steps:

- (a) receiving a plurality of call preferences (Fig 6) from said calling party using a first communication device (wired telephone, cellular, pager, personal computer or fax machine) to contact a called party having a second communication devices (device that associated with telephone number (908) 123-567, (908) 222-333, etc.)
- (b) processing said call through at least one call control entity (CCE) (a telecommunications service provided by a telecommunication service provider); and

(c) monitoring said plurality of call preferences by said CCE.

Regarding claim 2, referring to col. 9, ln 65-col. 10, ln 3, Lieuwen teaches the method of Claim 1, wherein after step (c) a prompting (query) by said CCE of the calling party for another call preference for said call to another communication device if said calling party is not in communication with said called party.

Regarding claim 3, referring to figures 1 and 6, and col. 4, lns 14-24, Lieuwen teaches the method of Claim 1, wherein said 011 preferences are selected from a group consisting of URL address, website address, email address, phone number, facsimile number, cellular number and pager number.

Regarding claim 4, referring to figure 6, Lieuwen teaches the mdhod of Claim 1, wherein said plurality of call preferences contains at least one alternative destination number/address for completing said call.

Regarding claim 5, referring to col. 9, ln 65-col. 10, ln 3, Lieuwen teaches the method of Claim 1, wherein said CCE attempts to complete said call in the order of preference expressed by said calling party after each prompt.

Regarding claim 6, referring to figures 1 and 6, and col. 4, lns 14-24, Lieuwen teaches the method of Claim 1, wherein said flrst communication device is selected from a group consisting of a computer, a PDA (Personal Digital Assistant), a cellular telephone, a telephone, a mobile phone, a customer premise equipment, a wired telephone, a PC (Personal Computer), a pager and a facsimile machine.

Regarding claim 7, referring to figures 1 and 6, and col. 4, lns 14-24, Lieuwen teaches the method of Claim 1, wherein said second communication device is selected

from a group consisting of a computer, a PDA (Personal Digital Assistant), a cellular telephone, a telephone, a mobile phone, a customer premise equipment, a wired telephone, a PC (Personal Computer), a pager and a facsimile machine.

Regarding claim 8, referring to figure 7, and col. 8, lns 11-15, Lieuwen teaches the method of Claim 1, wherein said call preferences by said calling party are stored at a location selected from a group consisting of said first communication device, said CCE, a telephone exchange and the Internet.

Regarding claim 9, referring to figures 1 and 6, and col. 4, lns 14-24, Lieuwen teaches the method of Claim 1, wherein said CCE resides at a location selected from a group consisting of PBX, Centrex, PSTN, the internet and said first communication device.

Regarding claim 10, referring to figure 6, Lieuwen teaches the method of Claim 1, wherein said first communication device has at least one means to display the called party number/address.

Regarding claim 11, referring to figures 1 and 6, and col. 4, lns 14-24, Lieuwen teaches the method of Claim 1, wherein said first communication device has at least one means to display and select the call preferences.

As to claims 12-23, they are rejected for the same reasons set forth to rejecting claims 1-11.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2642

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 6,754,325

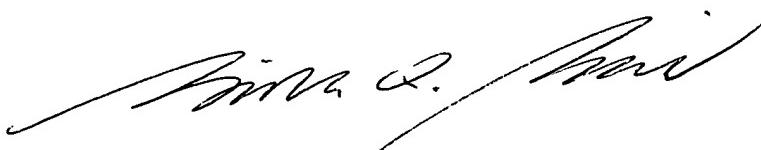
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482.

The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response  EXPEDITED PROCEDURE  ) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

07 August 2005



BING Q. BUI  
PRIMARY EXAMINER